

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2012-0074 (Zilk's)

**Z.A.P. DATE:** August 7, 2012

**ADDRESS:** 1807 West Slaughter Lane

**OWNER:** BB Retail South, LP  
(Jimmy J. Nassour)

**AGENT:** Alice Glasco Consulting  
(Alice Glasco)

**ZONING FROM:** GR

**TO:** LI

**AREA:** 0.90 acres (4,004 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant LI-CO, Limited Industrial Service-Conditional Overlay Combining District, zoning. The conditional overlay will prohibit the following uses: Basic Industry, Campground, Equipment Repair Services, Equipment Sales, General Warehousing and Distribution, Monument Retail Sales, Recycling Center, Resource Extraction, Scrap and Salvage, and Vehicle Storage.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

### **DEPARTMENT COMMENTS:**

The site under consideration consists of a vacant portion of a structure that was formerly used as a food sales use (Albertson's grocery store) and was zoned GR, Community Commercial District, through a 1986 case. The proposed rezoning area is located within an existing shopping center (Plaza at Slaughter Creek) at the southeast corner of Slaughter Lane and Manchaca Road. The property surrounding the site to the north, east and west, is part of the Plaza at Slaughter Creek commercial center, which is developed with a mixture of retail, service station, office, personal services, personal improvement services, restaurant and food preparation uses. There is a convenience storage facility (U-Store-It) zoned I-RR to the south and an automotive rental use (Enterprise Rent-A-Car) and a few single-family residences across Manchaca Road to the west in the county.

In 2010, through case C14-2010-0190, the applicant rezoned an 11,246 square foot portion of the rear of the old Albertson's building to LI-CO to re-use the equipment for a food preparation use (Zilk's-formerly known as Out-To-Lunch). Now the applicant is requesting to rezone an additional 4,004 square foot area within the shopping center to LI-CO so that they may expand the existing food preparation use at this location. (The food preparation land use classification is first permitted in the GR district, but is limited to 5,000 square feet in size.)

The staff recommends the applicant's request for Limited Industrial zoning, with a conditional overlay to prohibit some of the more intensive LI uses, given the limited size of the zoning area, the separation from existing residential uses, and property's access to two arterial roadways.

The applicant agrees with the staff's recommendation.

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**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR	Plaza at Slaughter Creek commercial center: Vacant portion of a structure that previously contained a food sales use (Albertson's)
<i>North</i>	GR	Plaza at Slaughter Creek commercial center (Exxon service station, Burger King restaurant, Discount Tire, Austin Regional Clinic medical offices, Jiffy Lube, Planet Fitness gym, Domino's Pizza, Parking area)
<i>South</i>	GR, LI-CO, GR, I-RR	Driveway serving the Plaza at Slaughter Creek commercial center: Food Preparation (Zilk's), Convenience storage (U-Store-It)
<i>East</i>	GR; CS-1	Automotive Rental (Enterprise Rent-A-Car), Plaza at Slaughter Creek Retail Center (Domino's Pizza, Tip Top Cleaners, Allstate office, Tammy's Nails, D'Ette & Co. Dancers studio, Shogun restaurant, Donuts, Vacant suite)
<i>West</i>	GR	Plaza at Slaughter Creek Retail Center (Tres Amigos restaurant, Franklin Bank, Leslie's Pool Supply, Realtors office, Detention pond)

**AREA STUDY:** N/A**TIA:** Not required**WATERSHED:** Slaughter Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** Yes – Slaughter Lane**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Monorail Project  
 Baurle Ranch Homeowners Association  
 Far South Austin Community Association  
 Home Builders Association of Greater Austin  
 Homeless Neighborhood Association  
 League of Bicycling Voters  
 Onion Creek Homeowners Association  
 Save Our Springs Alliance  
 SELTEXAS  
 Slaughter Lane Neighborhood Association  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appealers Organization  
 Tanglewood Forest Neighborhood Association

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**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0190 (BB-OTL Project: 1807 West Slaughter Lane)	GR to LI	1/04/11: Approved staff rec. of LI-CO, with additional condition of a restrictive covenant containing a rollback provision that the owner will not object to a rezoning to a more restrictive zoning district if the Code is amended to increase the square footage limitation for a Food Preparation use (5-0, B. Baker – out ill, one vacancy); G. Bourgeois-1 <sup>st</sup> , D. Tiemann-2 <sup>nd</sup> .	1/13/11: Approved LI-CO district zoning with a Restrictive Covenant for a rollback to a more restrictive zoning district if the Code is amended to increase the square foot limitation for a food preparation use, as for a food preparation use, as recommended by the Zoning and Platting Commission, on all 3 Readings (7-0).
C14-2008-0147 (Lopez Hardware and Lumber Company – 10037 Manchaca Road)	I-RR to CS	To Grant CS-CO, with the CO for a 2,000 vehicle trip limit and a list of prohibited uses	9/25/08: Approved CS-CO as Commission recommended

**RELATED CASES:**

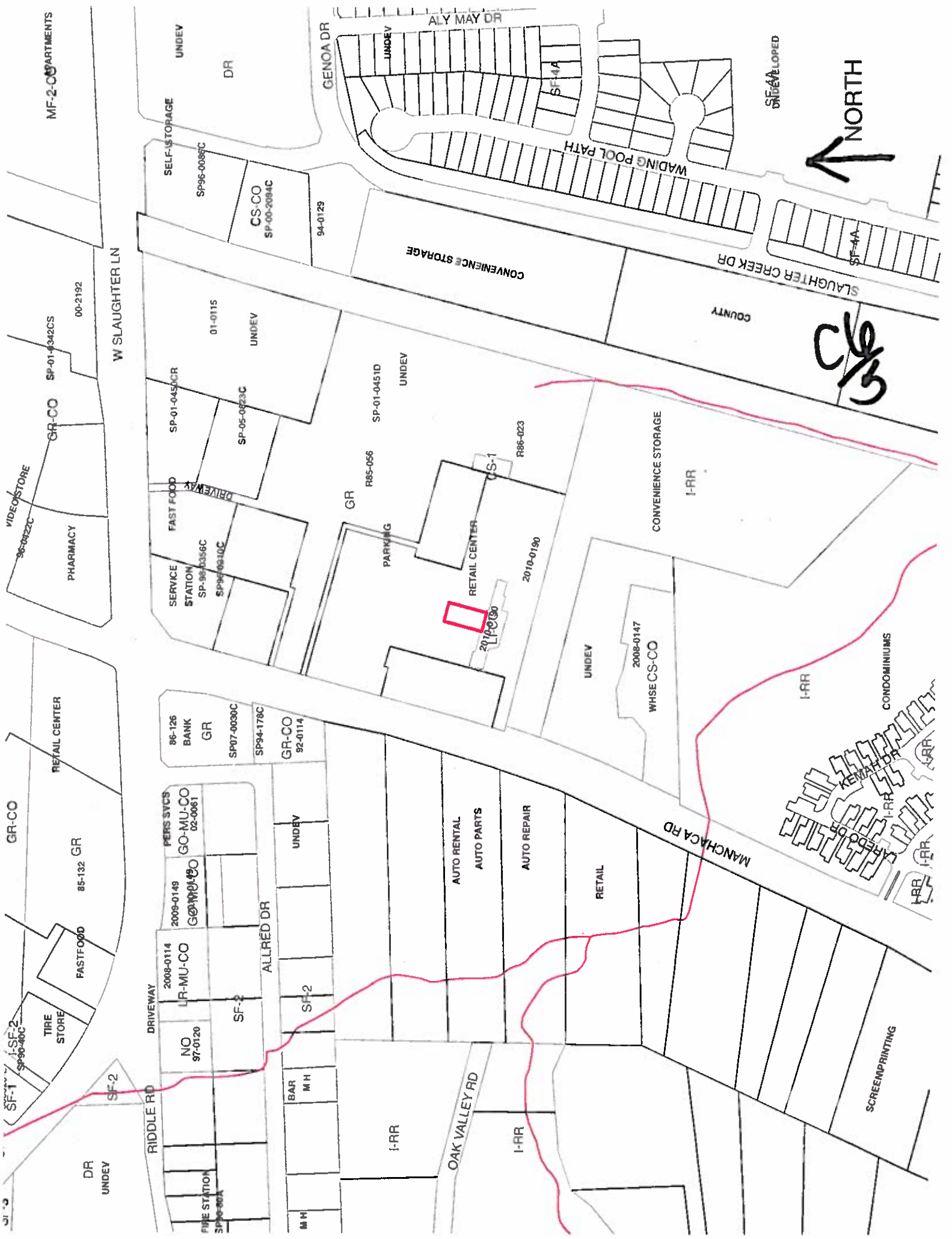
The subject area was originally zoned "GR" on January 23, 1986 as part of a Principal Roadway Area zoning site plan case that encompassed 27.83 acres at the southeast corner of Manchaca Road and Slaughter Lane (C14r-86-056 – Ordinance No. 860123-F). The site plan, which was required to be attached to the zoning ordinance, included food sales, retail and restaurant uses.

**ABUTTING STREETS:**

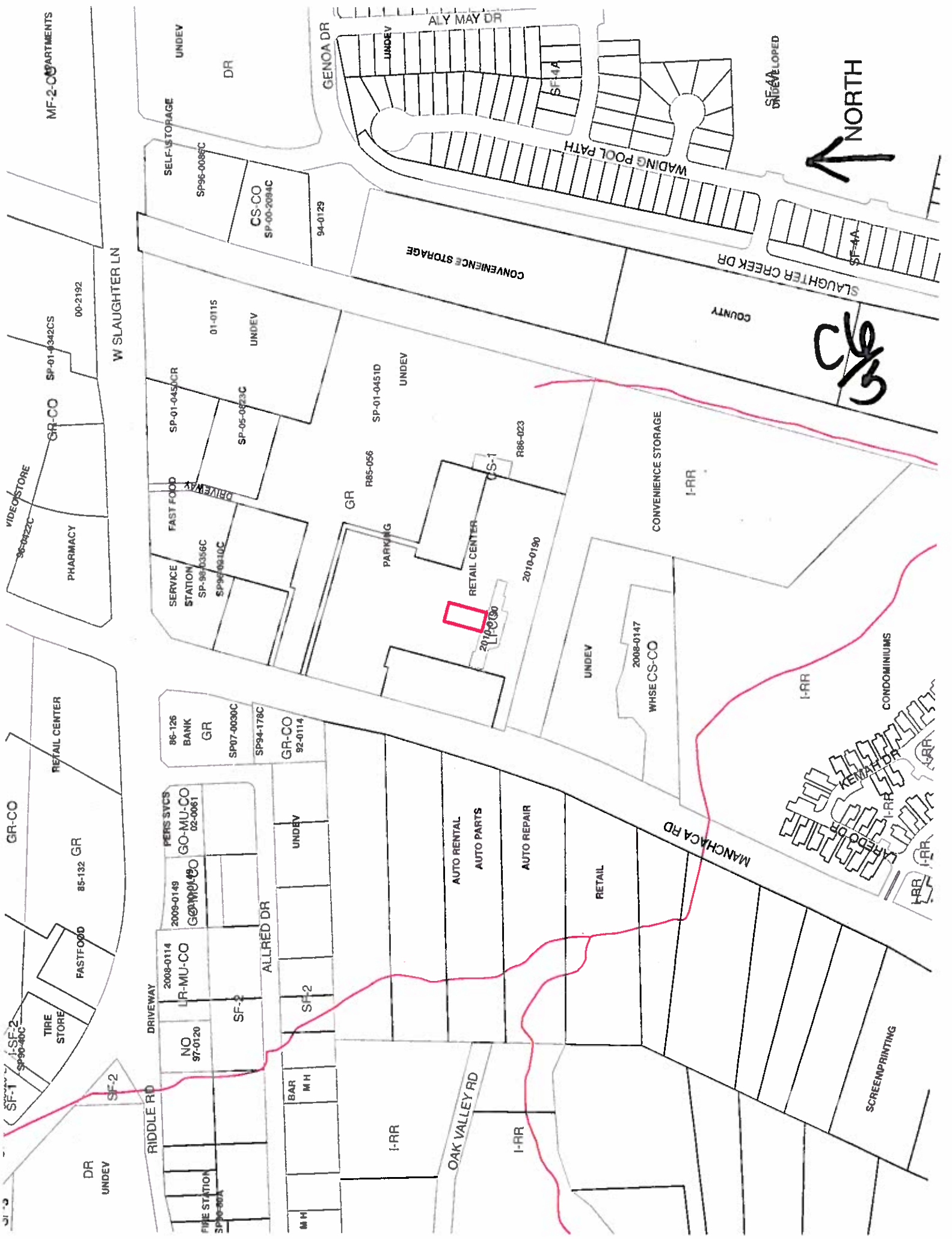
Name	ROW	Pavement	Classification	Daily Traffic
FM 2304 (Manchaca Road)	120 feet	90 feet	Arterial	27,000 (TXDOT, 2009)
West Slaughter Lane	Varies	2 @ 35 feet	Arterial	Not Available

**CITY COUNCIL DATE:** August 16, 2012**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Sherri Sirwaitis**PHONE:** 974-7719e-mail: [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)





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COUNTY NORTH

*Handwritten signature*

CONVENIENCE STORAGE

I-RR

2005-0147

CS-CO WHSE

MANCHACA RD

2010-0190

2010-0190

RETAIL

CS-CO

GR

R8S-056

SP-01-04510

UNDEV

UNDEV

SP-05-0524C

SP94-178C

GR-CO

AUTO RENTAL

AUTO PARTS



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## SUMMARY STAFF RECOMMENDATION

The staff's recommendation is to grant LI-CO, Limited Industrial Service-Conditional Overlay Combining District, zoning. The conditional overlay will prohibit the following uses: Basic Industry, Campground, Equipment Repair Services, Equipment Sales, General Warehousing and Distribution, Monument Retail Sales, Recycling Center, Resource Extraction, Scrap and Salvage, and Vehicle Storage.

## BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The limited industrial service (LI) district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

LI-CO zoning is reasonable at this location as the proposed zoning area is limited in size, has access to two arterial roadways, and will allow for a minor expansion of an existing food preparation use at this location. The property in question is surrounded by commercial and retail uses to the north, south, east and west as it is located within a developed shopping center (Plaza at Slaughter Creek).

## EXISTING CONDITIONS

### Site Characteristics

The site consists of a vacant portion of retail center that previously contained a food sales use (Albertson's grocery store).

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to floodplain maps there is no floodplain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

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- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

### **Impervious Cover**

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the L1 zoning district would be 80%, which is a consistent figure between the watershed and the zoning regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

### **Site Plan and Compatibility Standards**

Slaughter Lane is a Scenic Roadway. All signs must comply with Scenic Roadway sign district regulations (no internal illumination except for individual letters, 12-foot high max, etc).

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Transportation**

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
FM 2304 (Manchaca Road)	120'	90'	Arterial	27,000 (TXDOT, 2009)
Slaughter Lane	Varies	2@35'	Arterial	Not Available

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

There are existing sidewalks along FM 2304 (Manchaca Road) and Slaughter Lane.



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According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June 2009, bicycle facilities are existing and/or proposed along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Proposed Bicycle Facilities
FM 2304 (Manchaca Road)	Bike Lane	Bike Lane
Slaughter Lane	Wide Shoulder	Wide Shoulder

Capital Metro bus service is available along Manchaca Road (Route No. 3) and Slaughter Lane (Route No. 10).

#### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

# Alice Glasco Consulting

5117 Valburn Court, Suite A  
Austin, TX 78731  
aliceglasco@mindspring.com  
512-231-8110 • 512-857-0187 Fax

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July 2, 2012

Greg Guernsey, Director  
Planning and Development Review Department  
505 Barton Spring Road, Suite 500  
Austin, Texas 78704

RE: Rezoning Request for 1807 West Slaughter Lane

Dear Greg:

I represent the owners of the above referenced property in a request for a foot print rezoning from GR to LI to allow for a 4,004 square foot expansion of a food preparation use – Zilk's (formerly known as Out-To-Lunch. In 2010, the rear of the building, which used to be the food preparation area for Albertson's grocery store, was rezoned from GR to LI-CO for the same user. The area that was zoned LI-CO in 2010 (C14-2010-0190) comprised 11,246 square feet.

Zilk's is a local company, which prepares handmade foods such as hummus and other dips including salsa, queso, and Greek yogurt. These products are sold in four states through grocery customers like Whole Foods Market, HEB, Central Market and other local natural grocery retailers.

Please let me know if you have any questions or need additional information. We look forward to a positive staff recommendation.

Sincerely,



Alice Glasco

Cc: Jerry Rusthoven, Zoning Division Manager  
Wendy Rhodes, Senior Planner